IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

District :

Criminal Application No. 1502 of 2007

Office Notes, Office Memoranda of Coram, appearances, Court orders or directions and Registrar's orders

Court's or Judge's orders

CORAM: C. L. PANGARKAR J.
Dated: 20th June, 2007.

This is an application under Section 439 of Criminal Procedure Code. I have heard the learned counsel for the applicant and the State-respondent.

The facts as narrated in Criminal Application 1400/07, whereby bail was granted to the accused by this Court are same. It has been observed by

this Court while deciding the said application that there was in fact no direct evidence available and even the statement of one of the accused which is relied upon by the prosecution for the purpose of establishing charge against the accused could not be said to be admissible. Even if it is taken into account, at the most it goes to show that the deceased had left for his house and it does not however go to show that any one of the accused was along with him when he left for the house. In the circumstances there is no evidence worth the name against the present applicant. Hence he deserves to be released on bail.

Accused/applicant be released

on bail on his entering into personal bond in the sum of Rs.10,000/- with one surety in the like amount. Bail before trial Court.

Accused/applicant should report to police station Kalmeshwar on every Sunday between 9 a. m. to 11 a. m. Hamdast allowed.

JUDGE

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